

Date: June 27, 2007
W.I.: 1251, 1252, 1253, 1254, 1255
Referred by: BATA Oversight
Revised: 07/25/07-BATA 10/24/07-BATA
12/19/07-BATA 01/23/08-BATA
02/27/08-BATA 03/26/08-BATA
04/23/08-BATA 06/25/08-BATA

ABSTRACT

BATA Resolution No. 74, Revised

This resolution approves the FY 2007-08 Regional Measure 1 (RM 1), Regional Measure 2 (RM 2) and Seismic Retrofit Program (SRP) operating and capital Budgets, consistent with the BATA Toll Bridge Program Plan of Finance. Budgeted revenues include RM 1, RM 2 and SRP toll revenues and interest income earned on BATA fund balances. Budgeted expenses include Caltrans operating costs for manual toll collection, maintenance of bridge facilities and facilities related to toll collection, and maintenance and operation of the Transbay Transit Terminal and BATA's direct operating costs, including cash counting and toll accounting operations and management of the FasTrak® electronic toll collection customer service center and system maintenance. The Toll Bridge Program Capital Budget for FY 2007-08 includes the budgets and fund allocations for the RM 1 and the SRP. This resolution incorporates and supersedes all prior Toll Bridge Program capital project budgets and fund allocations.

Attachment G of this resolution was revised on July 25, 2007 to allocated \$3.3 million in supplemental seismic surcharge capital funds to the Stormwater Treatment Measures Contract of the San Francisco-Oakland Bay Bridge East Span Replacement Project for additional costs associated with impacts and delays resulting from a number of issues, including the Maze collapse, nesting birds, unknown buried man-made objects, unidentified utilities, and the discovery of unsuitable materials.

Attachments B and C of this resolution was revised on July 25, 2007 to budget \$11 million in additional non-BATA SHOPP funding, approve contract bid documents and allocate \$50.0 million in BATA RM 1 capital funds to the Existing Bridge Modification Contract of the New Benicia-Martinez Bridge Project for the modification, reconstruction, and rehabilitation of the existing Benicia-Martinez Bridge and adjacent Interstate 680/Marina Vista Interchange to carry southbound only traffic with a pedestrian/bicycle pathway.

Attachments B and C of this resolution were revised on July 25, 2007 to budget an additional \$111.2 million and to allocate \$141.4 million in BATA RM 1 funds to the Interstate 880/State Route 92 Interchange Project for the reconstruction of the existing cloverleaf interchange with a new interchange featuring direct freeway to freeway flyovers.

ABSTRACT

BATA Resolution No. 74, Revised

Page 2

Attachment A of this resolution was revised on October 24, 2007 to add \$250,000 to the Toll Bridge Program operating budget as a transfer to MTC to provide local match to a federal grant.

Attachments D1 and D2 were added as a replacement for Attachment D of this resolution on December 19, 2007 to adopted a 10-Year Toll Bridge Rehabilitation Program and to allocate an additional \$9.4 million in Toll Bridge Rehabilitation Funds to the Advanced Toll Collection and Accounting System (ATCAS) Lane/Host Upgrades, Antioch Bridge Seismic Analysis and Retrofit, and Dumbarton Bridge Seismic Analysis and Retrofit projects.

Attachments D1 and D2 of this resolution were revised on January 23, 2008 to transfer \$1.4 million in previously allocated Toll Bridge Rehabilitation Funds from the San Francisco-Oakland Bay Bridge Deck Overlay Project to the SCADA Upgrade Project and to reprogram and allocate \$5.0 million for the ATCAS Future Lane/Host Upgrade Project.

Attachments D1 and D2 of this resolution were revised on February 27, 2008 to establish a \$10.0 million minor emergency reserve in the Toll Bridge Rehabilitation Program and to transfer \$7.0 million from the reserve to fund repair fender damage to Pier 35 of the Richmond-San Rafael Bridge.

Attachments C, F and G of this resolution were revised on March 26, 2008 to allocate \$886,500 in RM1 Funds to the New Carquinez Bridge Project to fund final landscaping work beneath the new bridge in Crockett, to allocate \$115,000 in RM1 Funds to the San Mateo-Hayward Bridge Project for a Bay Trail Extension project in Union City to meet prior project permit commitments, to revise the San Francisco-Oakland Bay Bridge West Approach Replacement Project Budget and allocate \$24.7 million in Toll Bridge Seismic Retrofit funds to the project for changes made to the contract to accelerate construction and mitigate construction impacts.

Attachment C of this resolution were revised on April 23, 2008 to allocate \$4.4 million in RM1 Funds to the Interstate 880/State Route 92 Interchange Reconstruction Project to fund right-of-way costs for the relocation of utilities in and around the project.

Attachment A and C of this resolution were revised on June 25, 2008 to amend the operating budget to include revenues and costs for a video tolling study and to allocate \$2.2 million of RM1 funds to support the close out the New Benicia-Martinez Bridge and the Carquinez Bridge Demolition contracts.

Discussion of these items can be found in the Executive Director's memorandums to the BATA Oversight Committee dated June 6, 2007, July 3, 2007, October 3, 2007, December 5, 2007, January 2, 2008, February 6, 2008, February 27, 2008, April 2, 2008, and June 4, 2008.

Date: June 27, 2007
W.I.: 1251, 1252, 1253, 1254, 1255
Referred by: BATA Oversight

BAY AREA TOLL AUTHORITY
RESOLUTION NO. 74

WHEREAS, Streets and Highways Code Sections 30950 et seq. created the Bay Area Toll Authority (“BATA”); and

WHEREAS, Streets and Highways Code §§ 30950 et seq. transfers to BATA certain duties and responsibilities of the California Transportation Commission (“CTC”) and California Department of Transportation (“Caltrans”) for the toll bridges owned and operated by Caltrans in the San Francisco Bay Area; and

WHEREAS, in accordance with Streets and Highways Code §§ 30950.2 and 30886, BATA is responsible for the administration of all toll revenues from state-owned toll bridges within the jurisdiction of the Metropolitan Transportation Commission; and

WHEREAS, Bay Area bridges are defined in Streets and Highways Code § 30910 to include the Antioch, Benicia-Martinez, Carquinez, Richmond-San Rafael, San Francisco-Oakland, San Mateo-Hayward, and Dumbarton Bridges, and

WHEREAS, Streets and Highways Code § 30950.1 requires BATA to adopt an annual operating budget; and

WHEREAS, Streets and Highways Code § 30958 authorizes BATA to retain an amount not to exceed 1 percent of the gross revenues collected from tolls annually on Bay Area bridges to pay for administrative costs, after payments for debt service on outstanding bonds, and BATA’s direct operating costs; and

WHEREAS, BATA staff has prepared a proposed budget for FY 2007-08 that includes anticipated revenues, expenses and reserves, as set forth in Attachment A to this resolution, attached hereto and incorporated herein by this reference; and

WHEREAS, pursuant to Streets and Highway Code § 30952, the State of California Department of Transportation (“Caltrans”) is responsible for the capital improvements of the state-owned toll bridges in accordance with programming and scheduling requirements as adopted by Authority; and

WHEREAS, Caltrans has requested that the Authority adopt budgets and allocate toll funds for capital outlay and support costs of the Regional Measure 1 (RM1) Program and the Toll Bridge Seismic Retrofit Program (SRP) on the state-owned toll bridges, as listed on attachments to this resolution; and

WHEREAS, pursuant to Streets and Highway Code § 30914, Authority is responsible for the budgeting and disbursing of Regional Measure 2 (RM2) toll revenues for capital projects in the Regional Traffic Relief Program; and

WHEREAS, Streets and Highways Code § 30952.05 (b) specifies that all contract specifications and bid documents for the Benicia-Martinez Bridge, as described in Section 30917, and the state SRP projects, as described in Section 188.5, shall be reviewed and approved by BATA prior to their release; and

WHEREAS, Streets and Highways Code §§ 30952.05(c) and 30952.1(b) authorizes the Toll Bridge Program Oversight Committee (POC), created pursuant to Streets and Highways Code §30952.1, to implement project oversight and control processes for all projects covered by §30952.05 (b); and

WHEREAS, the POC recommends approval of bid specifications and documents and program budget and project allocation schedules for SRP projects for the adoption by BATA, as listed on the attachments to this resolution, attached hereto and incorporated herein as though set forth at length; and

WHEREAS, in accordance with the BATA finance plan (BATA Resolution No. 57), adopted by the Authority on September 28, 2005, and the bond covenants adopted under the Master Indenture and Supplemental Indentures, BATA is required to maintain an operations and maintenance reserve at twice the adopted operating budget and a Self Insurance Reserve of at least \$50 million.

WHEREAS, the BATA Oversight Committee met on June 13, 2007 to review the proposed FY 2007-08 Toll Bridge Program operating budget and the RM1, RM2 and SRP capital budgets and fund allocations and recommended its approval; now, therefore, be it

RESOLVED, that BATA approves the FY 2007-2008 Toll Bridge Program operating budget as set forth in Attachment A to this resolution attached hereto and incorporated herein as though set forth at length; and, be it further

RESOLVED, that the BATA Oversight Committee may approve adjustments among line items as set forth in Attachment A providing that there shall be no increase in the overall budget without prior approval of BATA and, be it further

RESOLVED, that the Executive Director or his designee shall submit written requests to the BATA Oversight Committee for approval of funds to contract for applicable consultant and professional services; and, be it further

RESOLVED, that the Authority adopt budgets and allocate toll funds for the FY 2007-2008 RM 1, RM 2 and the SRP for the state-owned toll bridges, as listed on Attachments B through G; and be it further

RESOLVED, that BATA approves the release of the contract specifications and bid documents for SRP projects as recommended by the POC and listed on Attachment G; and be it further

RESOLVED, that BATA authorizes the Executive Director to approve the release of any further addenda to the bid documents that may be required through the bid advertisement period for projects approved by BATA for release of contract documents, as listed on Attachment G; and be it further

RESOLVED, that the Authority authorizes fund reserve designations, effective June 30, 2007, as listed in Attachment H.

RESOLVED, that the Executive Director or his designee shall report to the BATA Oversight Committee on any bid addenda that are issued and on any bids awarded; and be it further

RESOLVED, that the Authority may, from time to time, add to or amend the allocations authorized by this resolution through additional attachments or amendments to the attachments, as approved by the Authority, which are hereby incorporated in Resolution No. 74 by this reference.

RESOLVED, that the Executive Director or his designee shall furnish the BATA Oversight Committee with a periodic financial report to reflect estimated and actual income, expenditures, obligations for professional and consultant services, cash flow projections and such other information and data as may be requested by the Committee.

BAY AREA TOLL AUTHORITY

Bill Dodd, Chair

The above resolution was entered into by the Bay Area Toll Authority at a regular meeting of the Authority held in Oakland, California, on June 27, 2007.

Date: June 27, 2007
W.I.: 1251, 1252, 1253, 1254, 1255
Referred by: BATA Oversight

Attachments
BATA Resolution No. 74

FY 2007-08 Toll Bridge Program
Operating and Capital Budgets

Attachment A: FY 2007-08 Toll bridge Program (RM1, RM2, and SRP) operating budget.

Attachment B: RM 1 Toll Bridge Capital Program Budget, which shows the adopted capital budgets for the RM 1 funded projects.

Attachment C: FY 2007-08 RM 1 Toll Bridge Program capital outlay and capital outlay support allocations for the RM 1 projects.

Attachments D1 and D2: FY 2007-08 Toll Bridge Rehabilitation Program capital outlay and capital outlay support allocations for the toll bridges.

Attachment E: RM2 Capital Program Budget, which includes all RM2 capital projects listed as a part of the Regional Traffic Relief Plan.

Attachment F: SRP Capital Program Budget, which shows the adopted capital budgets for the SRP projects.

Attachment G: FY 2007-08 SRP capital outlay and capital outlay support allocations for the SRP projects.

Attachment H: Authorized Fund Reserve Designations, effective June 30, 2007.

Insert Excel File: Attachments A thru H

J:\SECTION\ALLSTAFF\Resolution\RESOLUTIONS\
BATA Resolutions\BATA-RES-0074-Att ABCDEFGH.xls